IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.5470 OF 1990

Shudhakar Gangadhar Bhalekar,
since deceased by his LR's
1A) Smt Madhumalti S Bhalekar and ors. Petitioners.
Vs
The United Church Board for
World Ministry ... Respondents.

None for the petitioners.
Mr.Sarang Aradhe i/b Mr R.V.Govilkar, for the respondent.

CORAM : D.B.BHOSALE,J.
DATE : 07.11.2006
PC:

1. None appears for the petitioners. Mr. Aradhe appears for the respondent.

2. This petition was dismissed for default on two occasions and on last occasion, i.e. 12/7/2005, when the matter was dismissed for default the following order was passed.

> "None for the petitioners. As per the Office Note, on the Civil Application No.2202 of 2002 filed for restoration, this Court by Order dated 27th August, 2003, has restored the Writ Petition, subject to the petitioners donating Rs.500/- to Kirtikar Law Library. As recorded by the Office endorsement dated 7th July, 2005, there is no receipt placed on the record to the said effect.

> The matter was on Board on 23/6/2005, 27/6/2005, 29/6/06, 4/7/2005 and today. In view of the above, it appears that the petitioners are not interested in the matter.
>
> The Writ Petition is dismissed in default. Stay also stands vacated".

3. Thereafter, the matter was restored to file. Today when the matter is called out none appears for the petitioners. In the circumstances, I am constrained to dismiss this petition for non-presecution.

(D.B.BHOSALE,J.)